

# SAM BELL MAXEY HOUSE

— STATE HISTORIC SITE —

*Paris, Texas*

## Post-Visit Guide

## Grade 7

### Overview: A Presidential Pardon

A successful military man, lawyer, and politician, Sam Bell Maxey built an enduring legacy for his wife, their adopted daughter, great-nephew, and grandchildren. Had President Andrew Johnson denied Maxey's pardon, the family's history as we know it may have been quite different. In this lesson, students will analyze primary source letter excerpts and a presidential pardon to better decipher Maxey's true motivations behind his Civil War service and leadership and his historical legacy.

### Grade 7 Social Studies TEKS

(5) History. The student understands how events and issues shaped the history of Texas during the Civil War and Reconstruction. The student is expected to:

- (B) analyze the political, economic, and social effects of the Civil War and Reconstruction in Texas; and
- (C) identify significant individuals and events concerning Texas and the Civil War.

(6) History. The student understands how individuals, events, and issues shaped the history of Texas from Reconstruction through the beginning of the 20th century.

(17) Citizenship. The student understands the importance of the expression of different points of view in a democratic society. The student is expected to:

- (C) express and defend a point of view on an issue of historical or contemporary interest in Texas.

(21) Social studies skills. The student applies critical-thinking skills to organize and use information acquired through established research methodologies from a variety of valid sources, including electronic technology.

The student is expected to:

- (A) differentiate between, locate, and use valid primary and secondary sources such as computer software, databases, media and news services, biographies, interviews, and artifacts to acquire information about Texas;
- (B) analyze information by sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, and drawing inferences and conclusions;
- (D) identify points of view from the historical context surrounding an event and the frame of reference that influenced the participants;
- (E) support a point of view on a social studies issue or event;
- (F) identify bias in written, oral, and visual material.

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## Materials

- Historical images for display/distribution
- Graphic organizers

## Vocabulary

- **primary source:** an original artifact, document, diary, autobiography, recording, or any other type of information created during a time period

## Activity: KWL Chart

*10 minutes*

Have students complete the Maxey Home KWL chart and share their experiences, including any new questions they have after visiting the site.

## Primary Source Activity: Recommending Maxey

### Historical Context

After defeat in the Civil War, Confederate Army officers were stripped of their rights and considered to be traitors to the United States. While most Confederate soldiers were granted general amnesty or forgiveness, ranking officers, such as General Maxey, were forced to petition President Andrew Johnson for pardon to regain their civil rights to vote and hold office.

Display/distribute the **letter from Ulysses S. Grant** recommending Maxey for presidential pardon. Read the transcript aloud or ask for volunteer readers.

### Transcription

S. B. Maxey resigned from the Regular Army in 1849 and afterwards settled in Texas. I knew him well as a Cadet at West Point and afterwards as a Lient. in the Mexican war. I believe him to be well worthy of Executive Clemency and heartily recommend it.

U. S. Grant  
M. Gen.  
Washington D. C.  
Jany 16<sup>th</sup> 1866.

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Facilitate classroom discussion through the following suggested questions:

- Who is the author of this note? [*Union General Ulysses S. Grant*]
- How did the author know Sam Bell Maxey? [*cadets at West Point together; during Maxey's service as a lieutenant in the Mexican-American War*]
- What was the purpose of the author's note? [*to attest to Maxey's good character and to recommend him for pardon*]
- What might be considered unusual about this recommendation letter? [*a celebrated Union general is writing to commend an "enemy" general of the Confederate Army for pardon*]
- Why are primary sources like this note valuable?
- What are some challenges in learning from primary sources?

## Primary Source Activity: In His Own Words

Display/distribute **Maxey's 1862 and 1865 handwritten letters, transcripts, and analysis organizer**. Tell students that the 1862 letter was written during his military service in the Confederate Army. The 1865 letter was written after the close of the Civil War in a petition for a presidential pardon.

Preview the letters and transcripts including salutations, dates, audience, and any other relevant information. Ask students to pay attention as they read each letter to Maxey's use of language. Is it formal or casual? What accounts for the difference? What role does audience play in how Maxey wrote his letters?

Have students work individually or in pairs to complete the graphic organizer. Share responses and any questions these primary resources may raise.

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## 1862 Letter Answers:

1. his wife Marilda
2. It was the longest one. It showed Marilda had remembered his birthday
3. a skirmish broke out
4. They are both sick.
5. in Chattanooga, rain
6. “the sacred cause of liberty”
7. “a life of slavery”
8. They will have enough money for a good life.

## 1865 Letter Answers:

1. President Andrew Johnson
2. It was the practice of his office not to write letters for men who were educated at West Point.
3. when the Civil War broke out
4. He was born and raised in a southern state and felt he needed to support that state in the war.
5. practicing law
6. to be pardoned so his political and civil rights could be restored; to be allowed to practice law
7. to continue to work for law and order and the restoration of harmony
8. Paris, Texas

## **ELA Extension Activity: To Pardon, or Not to Pardon**

(18) Writing/Persuasive Texts. Students write persuasive texts to influence the attitudes or actions of a specific audience on specific issues. Students are expected to write a persuasive essay to the appropriate audience that:

- (A) establishes a clear thesis or position;
- (B) considers and responds to the views of others and anticipates and answers reader concerns and counter-arguments; and
- (C) includes evidence that is logically organized to support the author's viewpoint and that differentiates between fact and opinion.

As a class, discuss the Maxey family’s history and the role the presidential pardon ultimately played in the family’s political, social, and economic success. What if the outcome had been different? What role might family connections have played in that outcome? Was the outcome fair?

Tell students to write a letter to President Andrew Johnson as a person living in post-Civil War America either supporting a pardon for Maxey or arguing against a pardon. Evidence must be included for their positions and can include Maxey’s own words from his late 1800s letters.

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## Activity Resource: 1866 Letter of Recommendation for Sam Bell Maxey

**Citation:** Case Files of Applications from Former Confederates for Presidential Pardons, Amnesty Papers, available online at Fold3 (Accessed 12/15/2019) <https://www.fold3.com/image/24309320>.

S. B. Maxey resigned  
from the Regular Army  
in 1849 and afterwards  
settled in Texas. I know  
him well as a Cadet  
at West Point and after-  
wards as a Lieut. in  
the Mexican war. I  
believe him to be well  
worthy of Executive clemen-  
cy and heartily recommend  
it.

W. A. Grant  
V. L.

Washington D.C. }  
Jan. 16<sup>th</sup> 1866. }

Received from  
Department of Justice  
December 18, 1894.  
R. & 2402085.

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## Activity Resource: Transcription of 1862 Letter from Sam Bell Maxey to Marilda Maxey [p.1]

In camp near Corinth, Mississippi  
May 5, 1862

My dear wife,

I received your letter of March 30th postmarked April 2 addressed to me at Chattanooga yesterday.

Your letters are always most welcome, and this one particularly so. It is the longest one I have received from you. I noticed the date and thought to myself, does she know it is my birthday? I saw in a little nook of cross lining that you did.

I was ordered from Chattanooga here at my request, and was sent with a fine Brigade 24 miles north of here on the Mobile and Ohio Rail Road to Bethel.

I wrote to you from there, and again prepared another letter to you from Bethel, but before I sent it got with some skirmishing and everything was in a bustle for a day or two and I did not send it. Day before yesterday I came back here under orders.

Yesterday I got my old Regiment in my Brigade and a better satisfied set of boys you never saw. I also found Will Hunter and he had applied to Gen. Vandon to be transferred to my command which the General consented to, and the transfer was made. When he comes over I shall use him as a mounted Courier.

I have been very uneasy about Ben. He has got well, but has not got away from Chattanooga yet. Major Sorriess has not yet joined me having been sick. I got a dispatch from him dated May 2 from Atlanta. I immediately replied directing him to bring all we left from Chattanooga, which I hope he will do.

It is the prevailing belief that a heavy battle will be fought here in the course of a few days. I think it would have taken place before now had it not been for the miserable rainy weather. It rained pretty much all day yesterday and all last night, and it is now about as muddy as it can well be. I have felt very much depressed on account of the sad news of poor Rice, that reached me for the first time day before yesterday.

I had got here the evening before, and had got leave for the first time in near two months to be absent from camp a day, setting out aiming to hunt him out and get him with me if possible. I met Poindexter who told me of his fate at Elkhorn. I saw Will Hunter who confirmed it.

He was a brave boy and died gloriously the field of battle in defense of the sacred cause of liberty. A death such as his is infinitely preferable to a life of slavery.

No stain rests upon his name, I may meet the same fate. One thing you may rest assured of, you are not the wife of a coward. One result of this battle will unquestionably have a tremendous influence upon the destiny of the Southern Confederacy.

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## Activity Resource: Transcription of 1862 Letter from Sam Bell Maxey to Marilda Maxey [p.2]

I have not doubted success. The clouds of adversity have been lowering over the South since February, City after City has fallen, the Mississippi now is virtually in their hands, and yet I do not despair of ultimate success.

We may be reduced to poverty – even now millions upon millions of dollars of cotton have been consigned to this cause by patriotic citizens, and yet the prize to be gained is of so much more value that the loss is insignificant.

Years may be consumed in the effort, but if the people of the South are true to themselves, they must conquer.

If the country could be rid of cravens and skylarks, we could gain our independence in a year. When I will get to see you again and my pleasant home I know not.

I think I will be better able to appreciate home after this war is over than ever. In the meantime be of good cheer. You need have no fears if I live of having enough money to do you. I have two hundred dollars for you now, but do not know when I will get a chance to send it.

I am living economically and will send all my spare money to you every opportunity. I hope the \$300 I sent to you by Dr. Segons got through safe. After saving for yourself what you need, pay my little debts first. You are mistaken about our not having anything after payment of our debts.

It is true the hard times have greatly interfered with me, but if I live I can pay every dollar and have a very pretty property. Let Jim have some money as he needs it. He is a good boy and should be paid.

Tell the rest of the family that I have not had spare time to write, and one letter to you will do as much good as the dozen of the same date. When I get time, I will write. Keep in good spirits. I hope to write you again after the battle is over.

As ever yours affectionately  
S. B. Maxey

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## Activity Resource: Transcription of Letter from Sam Bell Maxey to President Andrew Johnson [p.1]

Paris, Texas  
Oct 24<sup>th</sup>, 1865

His Excellency,  
Andrew Johnson,  
President of the U. States  
Washington, D.C.

Sir:

I have the honor to present herewith my application for Special Pardon, with the endorsement of A. J. Hamilton, Prov. Govr. of Texas, together with his letter saying that it "is a rule of action in his office not to recommend any man who was educated at West Point to the President of the U.S. for pardon."

This is the only objection assigned, and I have no reason to believe that any other exists.

I respectfully submit that I was born and raised in a slave state, appointed a Cadet therefrom, and never lived out of a slave state, and for years before the act of secession of Texas, had been a private citizen. When the War broke out, and not till then, did I hold any position, Civil or Military, under the late Confederacy.

I acted with my State. In this I am neither more nor less guilty than the mass of the people South. The fact that I was educated at West Point, did not, in my judgement, require me to take up arms against my State. Whether this view was right or wrong, it was honest.

By the 4<sup>th</sup> par. of a proclamation of Gov. Hamilton, issued Septr. 8<sup>th</sup> (net) I, together with all other lawyers falling within any of the exceptions of the Presidents Proclamation of May 29<sup>th</sup> last, are prohibited from practicing law.

A careful comparison of the Constitution, the proclamation, and my parole, has led me to conclude, that my Political rights are held in abeyance, subject to the future action of the President, or of the Courts, and that I am not to be disturbed in my civil pursuits and the ordinary avocations of life, pending the determination of my political rights. In the note of the Govr. returning my application, he leaves my case to the direct action of the President.

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## Activity Resource: Transcription of Letter from Sam Bell Maxey to President Andrew Johnson [p.2]

I therefore respectfully ask of the President,

1<sup>st</sup> That I be pardoned, and restored to my Political and Civil rights.

2<sup>nd</sup> That I be, (in the event that he does not pardon me,) permitted and authorized to pursue my profession of the law.

In conclusion I beg to say, that whatever decision may be made by the President, I shall not cease to exert my influence in favor of law and order, and the restoration of harmony.

I went into the war in good faith, and the South having fairly yielded, after a submission of the issues to the sword, I consider it my honorable duty, faithfully to abide the award.

I have the honor to be,  
Mr. President, Most  
Respy. Your obt. Servt.  
S. B. Maxey,  
Late a Major Genl  
Prov. Army, C. States

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Activity Resource: Original Letter from Sam Bell Maxey to President Andrew Johnson [p.1]

Paris, Texas,  
Over 24th, 1865

His Excellency,  
Andrew Johnson,  
President of the U. States,  
Washington, D.C.

Sir: I have the honor to present herewith my application for Special Pardon, with the endorsement of A. J. Hamilton, Prov. Govr. of Texas, together with his letter saying that it "is a rule of action in his office not to recommend any man who was educated at West Point to the President of the U. S. for pardon."

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Activity Resource: Original Letter from Sam Bell Maxey to President Andrew Johnson [p.2]

When the War broke out, and not till then, did I hold any position, Civil or Military, under the late Confederacy. I acted with my State.

In this I am neither more nor less guilty, than the mass of the people South. The fact that I was educated at West Point, did not, in my judgment, require me to take up arms against my State. Whether this view was right or wrong, it was honest.

By the 4th Par. of a proclamation of Gov. Hamilton, issued Sept. 5th (Oct) I, together with all other lawyers, falling within any of the exceptions to the President's proclamation of May 29th last, am prohibited from practicing law.

A careful comparison of the Constitution, the proclamation, and my parole, has led me to conclude, that my Political rights are held in abeyance, subject to the future action of the President, or of the Courts, and that I am not to be disturbed in my Civil pursuits and the ordinary avocations of life, pending the determination of my Political rights,

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Activity Resource: Original Letter from Sam Bell Maxey to President Andrew Johnson [p.3]

In the note of the Gov<sup>t</sup> returning my apper-  
-cation, he leaves my case to the direct action  
of the President.

I therefore respectfully ask of the President,  
1<sup>st</sup> That I be pardoned, and restored to my Political  
and Civil rights.

2<sup>d</sup> That I be, (in the event he does not pardon  
me,) permitted and authorized to pursue  
my Perfection of the Law.

In conclusion I beg to say, that whatever  
decision may be made by the President, I  
shall not cease to exert my influence  
in favor of law and order, and the restoration  
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I went into the War in good faith, and  
the South having fairly yielded, after a  
submission of the issues to the sword,  
I consider it my honorable duty, faith-  
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I have the honor to be,

Mr. President, Most  
Respy. Your obt. Serv<sup>t</sup>  
S. B. Maxey,  
Late a Major Genl  
Prov Army, C. States.

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## In His Own Words Analysis Organizer

Read Sam Bell Maxey's 1862 and 1865 letters carefully and critically to answer the questions.

### 1862 Letter

1. To whom was Maxey writing?
2. Why was Maxey particularly pleased with the letter he had just received?
3. Why was Maxey unable to send his second letter?
4. Why was Maxey concerned about Ben and Major Sorriss?
5. Where did Maxey think a major battle may occur? What condition did he mention that could affect the battle?
6. What cause did Maxey believe he and his soldiers are fighting for? Write his exact words.
7. Maxey thought that death was better than what kind of life? Write his exact words.
8. What reassurance did Maxey offer about life after the war if he survived?

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## 1865 Letter

1. To whom was Maxey writing?
2. Why did the governor of Texas not write a letter recommending Maxey for pardon?
3. When did Maxey say he started serving in the Confederate Army?
4. What reason did Maxey give for serving in the Confederate Army?
5. According to a proclamation by Governor Hamilton, what was Maxey prevented from doing?
6. What two things did Maxey ask of President Johnson?
7. What did Maxey say he would continue to do, even if he wasn't pardoned?
8. Where was Maxey when he wrote this letter?

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